

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Baltimore
FILE NUMBER: 200602103-2

REGULATORY PROJECT MANAGER: Michael Danko **Date:** 9/27/06

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) **Date:**
 At the project site YES **Date:** 9/15/06

PROJECT LOCATION INFORMATION:
 State: Pennsylvania
 County: York
 Center coordinates of site by latitude & longitudinal coordinates: 39 44' 30" / 76 42' 15"
 Approximate size of site/property (including uplands & in acres): 3.242 acres
 Name of waterway or watershed: South Branch Codorus Cr.

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands (2 total)	0.01								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary X Or Approved .

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite): The 3.242 acre parcel was historically utilized for agriculture. Currently it is zoned for light industrial use. Two (2) small wetland areas were verified on-site, including Wetland “A” of 121-square feet in size and Wetland “B” of 414-square feet in size. These wetlands were determined to be hydrologically isolated, non-navigable, intrastate wetlands with no nexus to interstate commerce.